

Notice of Allowability

Application No.

09/554,465

Examiner

Jacob Cheu

Applicant(s)

KUFER ET AL.

Art Unit

1641

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/15/2007.
2. ☒ The allowed claim(s) is/are 1-17, 19-22, 24-33, 35-50 now renumbered as claims 1-47.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>6/20/07</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Svensson on July 16, 2007.

The application has been amended as follows:

Claim 3, line 2, replace "V_H-V_L, V_H-V_H or V_L-V_L domains" with -- V_H-V_L domain --.

Claim 6, line 1, replace "step (a'')" with -- step (a) --.

Claim 22, line 3, replace "comprises the complementarity determining regions " with -- comprises six complementarity determining regions --.

Claim 24, line 3, replace "antibody binds 17-1A", with -- antibody comprises six complementarity determining regions that bind 17-1A --.

Claim 27, line 1, delete "of claim 24".

Claim 30, line 3, replace "comprises the three complementarity determining regions " with -- comprises the six complementarity determining regions that bind 17 1A --.

Claim 32, line 2, after "SEQ ID No. 75", add -- wherein said SEQ ID No. 75 comprises six complementarity determining regions that bind 17 1A --.

Claim 35, line 2, after "SEQ ID No. 75", add -- wherein said isolated polypeptide or antibody comprises six complementarity determining regions that bind 17 1A --.

Claim 36, line 2, replace "V_H and V_L" with --V_H-V_L --.

Claim 43, line 3, replace "comprises the complementarity determining regions " with -- comprises six complementarity determining regions --.

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Claim 43, line 4, replace "polypeptide bind 17-1A" with -- polypeptide binds 17-1A --.

Claim 44, line 3, replace "comprises the complementarity determining regions " with -- comprises six complementarity determining regions --.

Claim 44, line 4, replace "polypeptide bind 17-1A" with -- polypeptide binds 17-1A --.

Claim 45, line 3, replace "comprises the complementarity determining regions " with -- comprises six complementarity determining regions --.

Claim 45, line 4, replace "polypeptide bind 17-1A" with -- polypeptide binds 17-1A --.

Claim 46, line 3, replace "comprises the complementarity determining regions " with -- comprises six complementarity determining regions --.

Claim 46, line 4, replace "polypeptide bind 17-1A" with -- polypeptide binds 17-1A --.

Claim 47, line 3, replace "comprises the complementarity determining regions " with -- comprises six complementarity determining regions --.

Claim 47, line 4, replace "polypeptide bind 17-1A" with -- polypeptide binds 17-1A --.

Claim 48, line 3, replace "comprises the complementarity determining regions " with -- comprises six complementarity determining regions --.

Claim 48, line 4, replace "polypeptide bind 17-1A" with -- polypeptide binds 17-1A --.

Claim 49, line 3, replace "comprises the complementarity determining regions " with -- comprises six complementarity determining regions --.

Claim 49, line 4, replace "polypeptide bind 17-1A" with -- polypeptide binds 17-1A --.

Claim 50, line 3, replace "comprises the complementarity determining regions " with -- comprises six complementarity determining regions --.

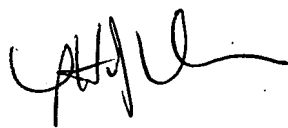
Claim 50, line 4, replace "polypeptide bind 17-1A" with -- polypeptide binds 17-1A --.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Cheu whose telephone number is 571-272-0814. The examiner can normally be reached on 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Le can be reached on 571-272-0823. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jacob Cheu
Examiner
Art Unit 1641

July 16, 2007



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